

Q & A
EC Directors' Webinar
June 11, 2013

SLD Algebra Waiver

1. How are systems to handle the SLD Math exemption for Algebra I & above now?

(A) The Algebra waiver (NC General Statute 115C-81(b)) continues to be applicable for students with an IEP that identifies the student as learning disabled in the area of math. Math 1 is considered the equivalent to Algebra 1, although Algebra 1 skills and concepts are also included in Math 2. Students who meet the requirements of NC GS 115C-81 (b) would be exempted from Math 1.

2. What are folks doing about kids who are now required to take Algebra I and 3 additional courses higher than Algebra I?

(A) For students who take Algebra 1, they would continue with the usual future ready core course sequence, depending on their post-secondary school plans.

For students who are exempted from Algebra 1, these students can construct a math sequence using any combination of courses from FRC1-6, including CTE courses that may substitute as math courses, again using their post-secondary plans as a guide.

Parents and students of students who are exempted from Algebra 1 should be informed of the impact on future course selection and post-secondary school plans.

For schools systems who may not have 8 available CTE courses available in order to use the CTE (2 for 1 credit option)

DPI is currently working on proposing 10 new options for the upcoming school year 2013-14. The changes would include a variety of credit for credit options depending on the amount of math credit a student may need. NOTE: Each school within a system may NOT have 8 available CTE courses available in order to use the CTE (2 for 1 Credit) OPTION.

Transition

3. How does NC interpret Transition Plan implementation? If you begin transition planning before age 16 is it an "all or nothing" implementation?

(A) According to what we understand, Feds say IF you begin transition planning before age 16 it is an "all or nothing" implementation.

4. What is EC DPI's recommendation for HOW thoroughly we handle 14 yr-16 yr. Transition Plans?

(A) The federal requirement states that if an IEP team determines the need to start transition prior to the age of 16, the IEP must include all components of transition.

For North Carolina, it is not an IEP team decision to start transition at the age of 14. North Carolina has a specific state policy that requires transition beginning no later than the first IEP to be in effect when the child becomes 14 years of age. The State policy specifies the components of the transition that must be included for transition by the age of 14. **See NC 1503-4.1(b)(1)** This does not prohibit an IEP team's decision to include all components of transition beginning at the age of 14 or younger.

As a result of this State policy the Division does not view this as a conflict with federal regulations. This exception has been reported to the United States Department of Education each year since 2008.

Medicaid Notification

5. What constitutes a "change" in the IEP requiring NEW Parent Permission for Medicaid, because the IEP "changes" annually?

(A).The first time after the effective date of these regulations that there is a change in the type or amount of the services to be provided to the child or a change in the cost of the services to be charged to the public benefits or insurance program, the public agency must first provide the parents the written notification described in new §300.154(d)(2)(v) before accessing the child's or parent's public benefits or insurance. The public agency then must obtain parental consent, consistent with new §300.154(d)(2)(iv)(B), stating that the parent understands and agrees that the public agency may access the child's or parent's public benefits or insurance to pay for services under part 300. The public agency must obtain a new parental consent containing this explicit statement from the parent even if the public agency has on file a consent provided to another agency, such as the State Medicaid agency. Once the public agency obtains this one-time consent, the public agency is not required to obtain parental consent before it accesses the child's or parent's public benefits or insurance in the future, regardless of whether there is a change in the type or amount of services to be provided to the child or a change in the cost of the services to be charged to the public benefits or insurance program (e.g., Medicaid). However, the public agency must annually thereafter provide parents with the written notification described in new §300.154(d)(2)(v). This annual written notification will help ensure that parents understand their rights when a public agency uses their or their child's public benefits or insurance to pay for services required under the IDEA.

As of July 1 the funding dispersed requires that LEAs are compliant with all regulations. This may be interpreted to apply to the one-time consent and annual notification, meaning that all

FERPA consents would need to be in place by that date. However, we know of no plans to audit around this requirement. *(Please refer to the letter dated June 11, 2013 from Melody Musgrove).*

Requirements for Written Reports

6. What written reports are required for vision/hearing/speech screenings?

(A)The student's health card with current vision and hearing screening may serve as the report for these screenings. The results of speech screenings must be provided in a report.

7. If you are updating information such as educational testing or Adaptive Behavior, does that require a separate report?

(A)Evaluations that are conducted as a part of an initial referral or as part of a reevaluation require written reports.

8. What is required for medical reports that come in from physicians or Health Screenings? Is a summary required?

(A)The medical report that comes from the physician is and the Health Screening need to be a part of the *Summary of Evaluation* (DEC 3).

9. What is meant by "recommend eligibility" as part of the required summary report?

(A) This is not on the memo of 2-27-13. The reference for the question could not be determined.

Measures of Student Learning

10. Will there be alternate assessments developed for MSLs?

(A)There will not be a 2% developed but we are working on how to address Standard 6 for the 1% population, those on the Extended Content Standards.

EVAAS

11. Will there be guidance from EC DPI regarding how to handle teaching situations and how to capture data for EVAAS appropriately?

(A)The EC Division is presently working with Robin McCoy, RTtT Project Coordinator for Standards & Assessments to clarify scenarios specific to special education teaching situations. In upcoming meetings with DAC, we will work with you to receive your input regarding guidelines and direction with the goal of providing parameters and guidance for continuity across LEAs. We are going to talk to Superintendents about the issues of consistency. Current information may be found at: <http://dpi.state.nc.us/effectiveness-model/roster/>

IEPs

12. For students accessing the Extended Content Standards, is there guidance of the appropriate continuum of service?

(A)Specially Designed Instruction is not a place. They can teach the appropriate instruction to the students in a Regular Education Classroom with the assistance of a teacher who is Highly Qualified in Adaptive Curriculum. They would need to collaborate with the Regular Ed teacher in providing the instruction, support and services. IEP teams make the decision regarding the least restrictive environment for each student. This decision should be made after the team has developed the present levels of academic achievement and functional performance, the annual goals and objective utilize current data; and has considered supplemental aids and services that the student may need.

See NC 1501-3

13. When a parent requests an IEP meeting before their child's annual review, what is the timeline to honor that request?

(A) The school should communicate with the parent to determine the purpose of the meeting and based upon the purpose expressed and the facts of the situation, determine a reasonable timeline for scheduling the meeting. If it is almost time for the annual review; if the parent has new information that needs to be considered by the team; if the parent is declaring that FAPE is at issue and is putting the school on notice that he or she is withdrawing the child from school; the team should consider scheduling as quickly as possible.

Day Treatment

14. Where can I find more information about EC students that attend day treatment programs?

(A) To find more information about day treatment programs contact your System of Care Coordinator in your area. Please see link for your (SOC) coordinator in your LEA.

http://www.ncdhhs.gov/mhddsas/services/serviceschildfamily/soccoord_list.pdf